

Introduced by Senator Soto

February 22, 2005

An act to amend Sections 56240, 56241 and 56836.23 of the Education Code, relating to special education.

LEGISLATIVE COUNSEL'S DIGEST

SB 626, as amended, Soto. Special education: staff development.

(1) Existing law requires a school district, special education local plan area, and county office of education to provide a staff development program for special education teachers, administrators, certificated and classified employees, volunteers, community advisory committee members, and, as appropriate, members of the school district and county governing boards. Existing law requires a staff development program to include provision of opportunities for paraprofessionals to participate in ongoing development activities pursuant to a systematic identification of pupil and personnel needs.

This bill would require ~~superintendent~~ *each special education local plan area* to develop ~~an assessment instrument to evaluate a~~ a paraprofessional *staff* development program, and would require a paraprofessional development program to be funded through moneys made available to the ~~regional coordinating council of a~~ special education local plan area pursuant to the federal Individuals with Disabilities Education Act. *The bill would prescribe the permissible uses of the funds.* To the extent that this bill would impose additional duties on a special educational local plan area, the bill would create a state-mandated local program.

(2) Existing law requires a special education local plan area, as a condition of receiving funds for regionalized operations and services and the direct instructional support of program specialists, to ensure

that a coordinated system of staff development and parent and guardian education is performed in accordance with the description set forth in its local plan.

This bill would require a paraprofessional development program to be designed in order to ensure that a paraprofessional meets the requirements of the federal ~~No Child Left Behind Act of 2001~~ *Individuals with Disabilities Education Act*, thus imposing a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 56240 of the Education Code is
2 amended to read:

3 56240. (a) Staff development programs shall be provided for
4 regular and special education teachers, administrators,
5 certificated and classified employees, volunteers, community
6 advisory committee members and, as appropriate, members of
7 the school district and county governing boards. The programs
8 shall be coordinated with other staff development programs in
9 the school district, special education local plan area, or county
10 office, including school level staff development programs
11 authorized by state and federal law.

12 ~~(b) The superintendent shall develop an assessment instrument~~
13 ~~to evaluate a paraprofessional development program in order to~~
14 ~~ensure that a paraprofessional meets the requirements of the~~
15 ~~federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6801,~~
16 ~~et seq.).~~

17 (b) *Each special educational local plan area shall develop a*
18 *paraprofessional staff development program to ensure that a*
19 *paraprofessional meets the requirements of the federal*
20 *Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400,*
21 *et seq.).*

SEC. 2. Section 56241 of the Education Code is amended to read:

56241. Staff development programs shall include all the following:

(a) Provision of opportunities for all school personnel, paraprofessionals, and volunteers to participate in ongoing development activities pursuant to a systematic identification of pupil and personnel needs. A paraprofessional development program shall be funded through moneys made available to the ~~regional coordinating council of a~~ special education local plan area pursuant to the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400, et seq.). *These funds shall be utilized to provide training in, but not limited to, the following areas:*

- (1) *Applied behavioral analysis.*
- (2) *Assistive technology.*
- (3) *Behavior modification techniques.*
- (4) *Communication systems.*
- (5) *Language development.*
- (6) *Other programs designed to educate pupils with autism and other disabilities.*

(b) Be designed and implemented by classroom teachers and other participating school personnel, including the school principal. Teachers shall comprise the majority of any group designated to design local staff development programs for instructional personnel to be established pursuant to this part. Positive efforts shall be made to ensure the individuals with exceptional needs and parents of such individuals are involved in the design and implementation of staff development programs.

(c) Allowance for diversity in development activities, including small groups, self-directed learning, and systematic observation during visits to other classrooms or schools.

(d) Scheduling of time that is set aside for this purpose throughout the school year, including time when participating school personnel are released from their regular duties.

(e) Evaluation and modification on a continuing basis by participating school personnel with the aid of outside personnel, as necessary.

(f) Inclusion of the school principal and other administrative personnel as active participants in one or more staff development activities implemented pursuant to this chapter.

(g) Provision of a budget for reasonable and necessary expenses, relating to staff development programs.

SEC. 3. Section 56836.23 of the Education Code is amended to read:

56836.23. Funds for regionalized operations and services and the direct instructional support of program specialists shall be apportioned to the special education local plan areas. As a condition to receiving those funds, the special education local plan area shall ensure that all functions listed below are performed in accordance with the description set forth in its local plan adopted pursuant to Section 56205:

(a) Coordination of the special education local plan area and the implementation of the local plan.

(b) Coordinated system of identification and assessment.

(c) Coordinated system of procedural safeguards.

(d) Coordinated system of staff development and parent and guardian education. A paraprofessional development program shall be designed in order to ensure that a paraprofessional meets the requirements of the federal ~~No Child Left Behind Act of 2001~~ (20 U.S.C. Sec. 6801, et seq.). *Individuals with Disabilities Education Act* (20 U.S.C. Sec. 1400, et seq.).

(e) Coordinated system of curriculum development and alignment with the core curriculum.

(f) Coordinated system of internal program review, evaluation of the effectiveness of the local plan, and implementation of a local plan accountability mechanism.

(g) Coordinated system of data collection and management.

(h) Coordination of interagency agreements.

(i) Coordination of services to medical facilities.

(j) Coordination of services to licensed children's institutions and foster family homes.

(k) Preparation and transmission of required special education local plan area reports.

(l) Fiscal and logistical support of the community advisory committee.

(m) Coordination of transportation services for individuals with exceptional needs.

1 (n) Coordination of career and vocational education and
2 transition services.

3 (o) Assurance of full educational opportunity.

4 (p) Fiscal administration and the allocation of state and federal
5 funds pursuant to Section 56836.01.

6 (q) Direct instructional program support that may be provided
7 by program specialists in accordance with Section 56368.

8 SEC. 4. No reimbursement is required by this act pursuant to
9 Section 6 of Article XIII B of the California Constitution because
10 this act implements a federal law or regulation and results only in
11 costs mandated by the federal government, within the meaning of
12 Section 17556 of the Government Code.

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